



July 20, 2023

VIA ECF

The Honorable Ronnie Abrams, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square, Room 2203
New York, NY 10007

Re: Jane Doe v. The Crime Report, et al.
Docket No. 1:22-cv-09520

Dear Honorable District Court Judge Abrams:

We represent Plaintiff, Jane Doe in the above-referenced action. We write to Your Honor in response to Your Honor's Order directing the parties to refile their voluntary stipulation of dismissal. Dkt. No. 19. We respectfully clarify the stipulation of dismissal was solely between Plaintiff and defendant John Jay College of Criminal Justice Auxiliary Services Corporation. However, it has become apparent that due to an oversight the stipulation of dismissal under Federal Rules of Civil Procedure 41 was improperly filed because the dismissal of claims against a single party is not appropriate under FRCP 41. Rather a motion to dismiss under FRCP 21 should have been filed.

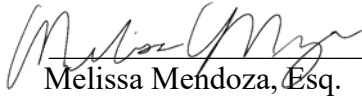
Currently the Plaintiff's Motion to Proceed Anonymously is still pending. On January 31, 2023, your Honor granted Plaintiff's Motion for Extension of Time to serve the other defendants in this action after the Court issued a decision on Plaintiff's Motion to Proceed Anonymously and the summonses were issued. Dkt. No. 15.

Accordingly, we respectfully apologize for the improper filing and respectfully request the Court accept the stipulation of dismissal as a Motion to Dismiss Defendant John Jay College of Criminal Justice Auxiliary Services Corporation from this action under Rule 21. See *United States v. Roberts*, No. 5:19-CV-234-JMH, 2019 WL 6499128, (E.D. Ky. Dec. 3, 2019). In the alternative, Plaintiff respectfully requests leave to file a Motion to Dismiss Defendant John Jay College of Criminal Justice Auxiliary Services Corporation from this action under FRCP 21.

We thank the Court for its time and consideration in this matter.

Respectfully submitted,
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